

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

19-CV-01157-EAW

THE PREMISES AND REAL PROPERTY WITH
ALL BUILDINGS, APPURTENANCES, AND
IMPROVEMENTS, LOCATED AT 7405 MORGAN
ROAD, LIVERPOOL, NEW YORK, *et al.*,

Defendants.

**STIPULATION TO EXTEND CLAIMANT'S TIME
TO FILE CLAIM AND ANSWER IN THE CIVIL FORFEITURE ACTION**

WHEREAS, on August 28, 2019, the United States of America filed an action *in rem* for the forfeiture of the Real Properties as set forth in a civil complaint for forfeiture in the above-referenced action. (Docket No. 1);

WHEREAS, counsel for claimant Chase Chavin ("Claimant") contacted the government to seek an extension of time to file a Claim and Answer in the civil forfeiture action due to ongoing discussions regarding the real properties listed above and other related matters;

WHEREAS, in order for discussions with respect to the aforementioned real properties to continue to progress and/or conclude, good cause exists to extend the deadline for the filing of a verified Claim and Answer;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED THAT, by and between the plaintiff United States of America, by its attorney, James P. Kennedy, Jr., United States Attorney for the Western District of New York, and Mary Clare Kane, Assistant United States Attorney, of counsel, and Terra Reynolds, attorney for the Claimant that:

1. Due to the complexity of ongoing discussions and negotiations pertaining to the real property below and other matters, including the COVID-19 health crisis, the parties agree that there is good cause to extend the Claimant's time to file a Claim in the civil forfeiture action against the real property listed below, as required by Title 18, United States Code, Sections 983(a)(4)(A), 983(a)(4)(B) and Rule G(5)(a) and Rule G(5)(b) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, to June 29, 2020 ("Claim Deadline") and its Answer within 21 days of the Claim Deadline and that all time elapsed thus far since the filing of the civil complaint for forfeiture is tolled.

2. The real property named in the civil complaint for forfeiture to which the above claimant has an interest is known as follows, and respectively, are more fully described in subparagraph 1(j), of the civil judicial forfeiture complaint, Docket No. 1, incorporated herein by reference.

a. Nineteen North (Pittsburgh, PA); and

b. View at MacKenzi/Morgan Colonial Gardens (York, PA).

3. Nothing in this Stipulation confers automatic standing on the Claimant nor shall it limit the right of the United States of America to present any and all of its arguments in favor of civil forfeiture to the Court during the pendency of the civil forfeiture action, including, but not limited to, whether a party has proper standing in this litigation.

4. Nothing in this Stipulation shall limit any party, any other claimant or any other potential claimant's right to file a verified claim and answer with respect to the above-referenced real properties or putting forth any argument with respect to standing.

DATED: Buffalo, New York, May 1, 2020.

JAMES P. KENNEDY, JR.
United States Attorney
Western District of New York

May 1, 2020

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May 1, 2020

/s/ Terra Reynolds¹
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SO ORDERED.

HON. ELIZABETH A. WOLFORD
U.S. DISTRICT COURT JUDGE
May , 2020

¹ Not currently admitted to practice in the Western District of New York, but an application for admission will be forthcoming.